S. 1572

To increase the number of well-trained mental health service professionals (including those based in schools) providing clinical mental health care to children and adolescents, and for other purposes.

IN THE SENATE OF THE UNITED STATES

June 7, 2007

Mr. Bingaman (for himself, Ms. Collins, Mr. Leahy, Mr. Durbin, Mr. Reed, Mr. Harkin, Ms. Stabenow, Mr. Dodd, and Mr. Sanders) introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

A BILL

To increase the number of well-trained mental health service professionals (including those based in schools) providing clinical mental health care to children and adolescents, and for other purposes.

- 1 Be it enacted by the Senate and House of Representa-
- 2 tives of the United States of America in Congress assembled,
- 3 SECTION 1. SHORT TITLE.
- 4 This Act may be cited as the "Child Health Care Cri-
- 5 sis Relief Act of 2007".
- 6 SEC. 2. FINDINGS.
- 7 The Congress finds the following:

- (1) The Center for Mental Health Services estimates that 20 percent or 13,700,000 of the Nation's children and adolescents have a diagnosable mental disorder, and about 2/3 of these children and adolescents do not receive mental health care.
 - (2) According to "Mental Health: A Report of the Surgeon General" in 1999, there are approximately 6,000,000 to 9,000,000 children and adolescents in the United States (accounting for 9 to 13 percent of all children and adolescents in the United States) who meet the definition for having a serious emotional disturbance.
 - (3) According to the Center for Mental Health Services, approximately 5 to 9 percent of United States children and adolescents meet the definition for extreme functional impairment.
 - (4) According to the Surgeon General's Report, there are particularly acute shortages in the numbers of mental health service professionals serving children and adolescents with serious emotional disorders.
 - (5) According to the National Center for Education Statistics in the Department of Education, there are approximately 479 students for each school counselor in United States schools, which ratio is al-

- 1 most double the recommended ratio of 250 students 2 for each school counselor.
 - (6) According to the Bureau of Health Professions in 2000, the demand for the services of child and adolescent psychiatry is projected to increase by 100 percent by 2020.
 - (7) The development and application of knowledge about the impact of disasters on children, adolescents, and their families has been impeded by critical shortages of qualified researchers and practitioners specializing in this work.
 - (8) According to the Bureau of the Census, the population of children and adolescents in the United States under the age of 18 is projected to grow by more than 40 percent in the next 50 years from 70 million to more than 100 million by 2050.
 - (9) There are approximately 7,000 child and adolescent psychiatrists in the United States. Only 300 child and adolescent psychiatrists complete training each year.
 - (10) According to the Department of Health and Human Services, minority representation is lacking in the mental health workforce. Although 12 percent of the United States population is African-American, only 2 percent of psychologists, 2 percent

- 1 of psychiatrists, and 4 percent of social workers are
- 2 African-American providers. Moreover, there are
- only 29 Hispanic mental health professionals for
- 4 every 100,000 Hispanics in the United States, com-
- 5 pared with 173 non-Hispanic white providers per
- 6 100,000.
- 7 (11) According to a 2006 study in the Journal
- 8 of the American Academy of Child and Adolescent
- 9 Psychiatry, the national shortage of child and ado-
- 10 lescent psychiatrists affects poor children and ado-
- lescents living in rural areas the hardest.
- 12 (12) According to the National Center for Men-
- tal Health and Juvenile Justice, 70 percent of youth
- involved in State and local juvenile justice systems
- throughout the country suffer from mental dis-
- orders, with at least 20 percent experiencing symp-
- toms so severe that their ability to function is sig-
- 18 nificantly impaired.
- 19 SEC. 3. LOAN REPAYMENTS, SCHOLARSHIPS, AND GRANTS
- TO IMPROVE CHILD AND ADOLESCENT MEN-
- 21 TAL HEALTH CARE.
- 22 Part E of title VII of the Public Health Service Act
- 23 (42 U.S.C. 294n et seq.) is amended by adding at the end
- 24 the following:

1	"Subpart 3—Child and Adolescent Mental Health
2	Care
3	"SEC. 771. LOAN REPAYMENTS, SCHOLARSHIPS, AND
4	GRANTS TO IMPROVE CHILD AND ADOLES-
5	CENT MENTAL HEALTH CARE.
6	"(a) Loan Repayments for Child and Adoles-
7	CENT MENTAL HEALTH SERVICE PROFESSIONALS.—
8	"(1) Establishment.—The Secretary, acting
9	through the Administrator of the Health Resources
10	and Services Administration, may establish a pro-
11	gram of entering into contracts on a competitive
12	basis with eligible individuals under which—
13	"(A) the eligible individual agrees to be
14	employed full-time for a specified period (which
15	shall be at least 2 years) in providing mental
16	health services to children and adolescents; and
17	"(B) the Secretary agrees to make, during
18	not more than 3 years of the period of employ-
19	ment described in subparagraph (A), partial or
20	total payments on behalf of the individual on
21	the principal and interest due on the under-
22	graduate and graduate educational loans of the
23	eligible individual.
24	"(2) Eligible individual.—For purposes of
25	this section, the term 'eligible individual' means an
26	individual who—

"(A) is receiving specialized training or 1 2 clinical experience in child and adolescent men-3 tal health in psychiatry, psychology, school psy-4 chology, behavioral pediatrics, psychiatric nurs-5 ing, social work, school social work, marriage 6 and family therapy, school counseling, or pro-7 fessional counseling and has less than 1 year 8 remaining before completion of such training or 9 clinical experience; or 10 "(B)(i) has a license or certification in a 11 State to practice allopathic medicine, osteo-

"(B)(i) has a license or certification in a State to practice allopathic medicine, osteo-pathic medicine, psychology, school psychology, psychiatric nursing, social work, school social work, marriage and family therapy, school counseling, or professional counseling; and

"(ii)(I) is a mental health service professional who completed (but not before the end of the calendar year in which this section is enacted) specialized training or clinical experience in child and adolescent mental health described in subparagraph (A); or

"(II) is a physician who graduated from (but not before the end of the calendar year in which this section is enacted) an accredited

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1	child and adolescent psychiatry residency or fel-
2	lowship program in the United States.
3	"(3) Additional eligibility require-
4	MENTS.—The Secretary may not enter into a con-
5	tract under this subsection with an eligible indi-
6	vidual unless—
7	"(A) the individual is a United States cit-
8	izen or a permanent legal United States resi-
9	dent; and
10	"(B) if the individual is enrolled in a grad-
11	uate program (including a medical residency or
12	fellowship), the program is accredited, and the
13	individual has an acceptable level of academic
14	standing (as determined by the Secretary).
15	"(4) Priority.—In entering into contracts
16	under this subsection, the Secretary shall give pri-
17	ority to applicants who—
18	"(A) are or will be working with high-pri-
19	ority populations;
20	"(B) have familiarity with evidence-based
21	methods and cultural competence in child and
22	adolescent mental health services;
23	"(C) demonstrate financial need; and
24	"(D) are or will be working in the publicly
25	funded sector, particularly in community mental

health programs described in section 1913(b)(1).

"(5) Meaningful loan repayment.—If the Secretary determines that funds appropriated for a fiscal year to carry out this subsection are not sufficient to allow a meaningful loan repayment to all expected applicants, the Secretary shall limit the number of contracts entered into under paragraph (1) to ensure that each such contract provides for a meaningful loan repayment.

"(6) AMOUNT.—

- "(A) MAXIMUM.—For each year that the Secretary agrees to make payments on behalf of an individual under a contract entered into under paragraph (1), the Secretary may agree to pay not more than \$35,000 on behalf of the individual.
- "(B) Consideration.—In determining the amount of payments to be made on behalf of an eligible individual under a contract to be entered into under paragraph (1), the Secretary shall consider the eligible individual's income and debt load.
- 24 "(7) APPLICABILITY OF CERTAIN PROVI-25 SIONS.—The provisions of sections 338E and 338F

- shall apply to the program established under para-
- 2 graph (1) to the same extent and in the same man-
- and a such provisions apply to the National Health
- 4 Service Corps Loan Repayment Program established
- 5 in subpart III of part D of title III.
- 6 "(8) AUTHORIZATION OF APPROPRIATIONS.—
- 7 There is authorized to be appropriated to carry out
- 8 this subsection \$10,000,000 for each of fiscal years
- 9 2008 through 2012.
- 10 "(b) Scholarships for Students Studying to
- 11 BECOME CHILD AND ADOLESCENT MENTAL HEALTH
- 12 Service Professionals.—
- 13 "(1) ESTABLISHMENT.—The Secretary, acting
- through the Administrator of the Health Resources
- and Services Administration, may establish a pro-
- gram to award scholarships on a competitive basis to
- eligible students who agree to enter into full-time
- employment (as described in paragraph (4)(C)) as a
- child and adolescent mental health service profes-
- sional after graduation or completion of a residency
- or fellowship.
- 22 "(2) Eligible student.—For purposes of
- this subsection, the term 'eligible student' means a
- United States citizen or a permanent legal United
- 25 States resident who—

1	"(A) is enrolled or accepted to be enrolled
2	in an accredited graduate program that in-
3	cludes specialized training or clinical experience
4	in child and adolescent mental health in psy-
5	chology, school psychology, psychiatric nursing,
6	behavioral pediatrics, social work, school social
7	work, marriage and family therapy, school
8	counseling, or professional counseling and, if
9	enrolled, has an acceptable level of academic
10	standing (as determined by the Secretary); or
11	"(B)(i) is enrolled or accepted to be en-
12	rolled in an accredited graduate training pro-
13	gram of allopathic or osteopathic medicine in
14	the United States and, if enrolled, has an ac-
15	ceptable level of academic standing (as deter-
16	mined by the Secretary); and
17	"(ii) intends to complete an accredited
18	residency or fellowship in child and adolescent
19	psychiatry or behavioral pediatrics.
20	"(3) Priority.—In awarding scholarships
21	under this subsection, the Secretary shall give—
22	"(A) highest priority to applicants who
23	previously received a scholarship under this
24	subsection and satisfy the criteria described in
25	subparagraph (B); and

1	"(B) second highest priority to applicants
2	who—
3	"(i) demonstrate a commitment to
4	working with high-priority populations;
5	"(ii) have familiarity with evidence-
6	based methods in child and adolescent
7	mental health services;
8	"(iii) demonstrate financial need; and
9	"(iv) are or will be working in the
10	publicly funded sector, particularly in com-
11	munity mental health programs described
12	in section $1913(b)(1)$.
13	"(4) Requirements.—The Secretary may
14	award a scholarship to an eligible student under this
15	subsection only if the eligible student agrees—
16	"(A) to complete any graduate training
17	program, internship, residency, or fellowship
18	applicable to that eligible student under para-
19	graph (2);
20	"(B) to maintain an acceptable level of
21	academic standing (as determined by the Sec-
22	retary) during the completion of such graduate
23	training program, internship, residency, or fel-
24	lowship; and

1 "(C) to be employed full-time after gradua-2 tion or completion of a residency or fellowship, 3 for at least the number of years for which a 4 scholarship is received by the eligible student 5 under this subsection, in providing mental

health services to children and adolescents.

7 "(5) Use of scholarship funds.—A scholar-8 ship awarded to an eligible student for a school year 9 under this subsection may be used only to pay for 10 tuition expenses of the school year, other reasonable educational expenses (including fees, books, and lab-12 oratory expenses incurred by the eligible student in 13 the school year), and reasonable living expenses, as 14 such tuition expenses, reasonable educational ex-15 penses, and reasonable living expenses are deter-

mined by the Secretary.

- "(6) Amount.—The amount of a scholarship under this subsection shall not exceed the total amount of the tuition expenses, reasonable educational expenses, and reasonable living expenses described in paragraph (5).
- APPLICABILITY OFCERTAIN PROVI-SIONS.—The provisions of sections 338E and 338F shall apply to the program established under paragraph (1) to the same extent and in the same man-

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- 1 ner as such provisions apply to the National Health
- 2 Service Corps Scholarship Program established in
- 3 subpart III of part D of title III.
- 4 "(8) Authorization of appropriations.—
- 5 There is authorized to be appropriated to carry out
- 6 this subsection \$5,000,000 for each of fiscal years
- 7 2008 through 2012.
- 8 "(c) Clinical Training Grants for Profes-
- 9 SIONALS.—
- 10 "(1) ESTABLISHMENT.—The Secretary, acting
- through the Administrator of the Health Resources
- and Services Administration, in cooperation with the
- Administrator of the Substance Abuse and Mental
- Health Services Administration, may establish a pro-
- gram to award grants on a competitive basis to ac-
- credited institutions of higher education to establish
- or expand internships or other field placement pro-
- grams for students receiving specialized training or
- 19 clinical experience in child and adolescent mental
- 20 health in psychiatry, psychology, school psychology,
- 21 behavioral pediatrics, psychiatric nursing, social
- work, school social work, marriage and family ther-
- apy, school counseling, or professional counseling.

1	"(2) Priority.—In awarding grants under this
2	subsection, the Secretary shall give priority to appli-
3	cants that—
4	"(A) have demonstrated the ability to col-
5	lect data on the number of students trained in
6	child and adolescent mental health and the pop-
7	ulations served by such students after gradua-
8	tion;
9	"(B) have demonstrated familiarity with
10	evidence-based methods in child and adolescent
11	mental health services; and
12	"(C) have programs designed to increase
13	the number of professionals serving high-pri-
14	ority populations.
15	"(3) Requirements.—The Secretary may
16	award a grant to an applicant under this subsection
17	only if the applicant agrees that—
18	"(A) any internship or other field place-
19	ment program assisted under the grant will
20	prioritize cultural competency;
21	"(B) students benefitting from any assist-
22	ance under this subsection will be United States
23	citizens or permanent legal United States resi-
24	dents;

1	"(C) the institution will provide to the Sec-
2	retary such data, assurances, and information
3	as the Secretary may require; and
4	"(D) with respect to any violation of the
5	agreement between the Secretary and the insti-
6	tution, the institution will pay such liquidated
7	damages as prescribed by the Secretary by reg-
8	ulation.
9	"(4) Application.—The Secretary shall re-
10	quire that any application for a grant under this
11	subsection include a description of the applicant's
12	experience working with child and adolescent mental
13	health issues.
14	"(5) Authorization of appropriations.—
15	There is authorized to be appropriated to carry out
16	this subsection \$10,000,000 for each of fiscal years
17	2008 through 2012.
18	"(d) Progressive Education Grants for Para-
19	PROFESSIONALS.—
20	"(1) Establishment.—The Secretary, acting
21	through the Administrator of the Health Resources
22	and Services Administration, in cooperation with the
23	Administrator of the Substance Abuse and Mental
24	Health Services Administration, may establish a pro-
25	gram to award grants on a competitive basis to

- State-licensed mental health nonprofit and for-profit organizations (including accredited institutions of higher education) to enable such organizations to pay for programs for preservice or in-service training of paraprofessional child and adolescent mental health workers.
 - "(2) DEFINITION.—For purposes of this subsection, the term 'paraprofessional child and adolescent mental health worker' means an individual who is not a mental health service professional, but who works at the first stage of contact with children and families who are seeking mental health services.
 - "(3) Priority.—In awarding grants under this subsection, the Secretary shall give priority to applicants that—
 - "(A) have demonstrated the ability to collect data on the number of paraprofessional child and adolescent mental health workers trained by the applicant and the populations served by these workers after the completion of the training;
 - "(B) have familiarity with evidence-based methods in child and adolescent mental health services:

1	"(C) have programs designed to increase
2	the number of paraprofessional child and ado-
3	lescent mental health workers serving high-pri-
4	ority populations; and
5	"(D) provide services through a community
6	mental health program described in section
7	1913(b)(1).
8	"(4) REQUIREMENTS.—The Secretary may
9	award a grant to an organization under this sub-
10	section only if the organization agrees that—
11	"(A) any training program assisted under
12	the grant will prioritize cultural competency;
13	"(B) the organization will provide to the
14	Secretary such data, assurances, and informa-
15	tion as the Secretary may require; and
16	"(C) with respect to any violation of the
17	agreement between the Secretary and the orga-
18	nization, the organization will pay such liq-
19	uidated damages as prescribed by the Secretary
20	by regulation.
21	"(5) Application.—The Secretary shall re-
22	quire that any application for a grant under this
23	subsection include a description of the applicant's
24	experience working with paraprofessional child and
25	adolescent mental health workers.

1	"(6) Authorization of appropriations.—
2	There is authorized to be appropriated to carry out
3	this subsection \$5,000,000 for each of fiscal years
4	2008 through 2012.
5	"(e) CHILD AND ADOLESCENT MENTAL HEALTH
6	PROGRAM DEVELOPMENT GRANTS.—
7	"(1) Establishment.—The Secretary, acting
8	through the Administrator of the Health Resources
9	and Services Administration, may establish a pro-
10	gram to increase the number of well-trained child
11	and adolescent mental health service professionals in
12	the United States by awarding grants on a competi-
13	tive basis to accredited institutions of higher edu-
14	cation to enable the institutions to establish or ex-
15	pand accredited graduate child and adolescent men-
16	tal health programs.
17	"(2) Priority.—In awarding grants under this
18	subsection, the Secretary shall give priority to appli-
19	eants that—
20	"(A) demonstrate familiarity with the use
21	of evidence-based methods in child and adoles-
22	cent mental health services;
23	"(B) provide experience in and collabora-
24	tion with community-based child and adolescent
25	mental health services;

1	"(C) have included normal child develop-
2	ment curricula; and
3	"(D) demonstrate commitment to working
4	with high-priority populations.
5	"(3) Use of funds.—Funds received as a
6	grant under this subsection may be used to establish
7	or expand any accredited graduate child and adoles-
8	cent mental health program in any manner deemed
9	appropriate by the Secretary, including by improving
10	the course work, related field placements, or faculty
11	of such program.
12	"(4) REQUIREMENTS.—The Secretary may
13	award a grant to an accredited institution of higher
14	education under this subsection only if the institu-
15	tion agrees that—
16	"(A) any child and adolescent mental
17	health program assisted under the grant will
18	prioritize cultural competency;
19	"(B) the institution will provide to the Sec-
20	retary such data, assurances, and information
21	as the Secretary may require; and
22	"(C) with respect to any violation of the
23	agreement between the Secretary and the insti-
24	tution, the institution will pay such liquidated

1	damages as prescribed by the Secretary by reg-
2	ulation.
3	"(5) Authorization of appropriations.—
4	There is authorized to be appropriated to carry out
5	this subsection \$15,000,000 for each of fiscal years
6	2008 through 2012.
7	"(f) Definitions.—In this section:
8	"(1) Specialized training or clinical ex-
9	PERIENCE IN CHILD AND ADOLESCENT MENTAL
10	HEALTH.—The term 'specialized training or clinical
11	experience in child and adolescent mental health'
12	means training and clinical experience that—
13	"(A) is part of or occurs after completion
14	of an accredited graduate program in the
15	United States for training mental health service
16	professionals;
17	"(B) consists of at least 500 hours of
18	training or clinical experience in treating chil-
19	dren and adolescents; and
20	"(C) is comprehensive, coordinated, devel-
21	opmentally appropriate, and of high quality to
22	address the unique ethnic and cultural diversity
23	of the United States population.
24	"(2) High-priority population.—The term
25	'high-priority population' means—

1	"(A) a population in which there is a sig-
2	nificantly greater incidence than the national
3	average of—
4	"(i) children who have serious emo-
5	tional disturbances; or
6	"(ii) children who are racial, ethnic,
7	or linguistic minorities; or
8	"(B) a population consisting of individuals
9	living in a high-poverty urban or rural area.
10	"(3) Mental Health Service Profes-
11	SIONAL.—The term 'mental health service profes-
12	sional' means an individual with a graduate or post-
13	graduate degree from an accredited institution of
14	higher education in psychiatry, psychology, school
15	psychology, behavioral pediatrics, psychiatric nurs-
16	ing, social work, school social work, marriage and
17	family counseling, school counseling, or professional
18	counseling.".
19	SEC. 4. AMENDMENTS TO SOCIAL SECURITY ACT TO IM-
20	PROVE CHILD AND ADOLESCENT MENTAL
21	HEALTH CARE.
22	(a) Increasing Number of Child and Adoles-
23	CENT PSYCHIATRY RESIDENTS PERMITTED TO BE PAID
24	UNDER THE MEDICARE GRADUATE MEDICAL EDUCATION
25	Program.—Section 1886(h)(4)(F) of the Social Security

Act (42 U.S.C. 1395ww(h)(4)(F)) is amended by adding at the end the following new clause: 3 "(iii) Increase allowed for train-4 ING IN CHILD AND ADOLESCENT PSYCHI-ATRY.—In applying clause (i), there shall 6 not be taken into account such additional 7 number of full-time equivalent residents in 8 the field of allopathic or osteopathic medi-9 cine who are residents or fellows in child 10 and adolescent psychiatry as the Secretary 11 determines reasonable to meet the need for 12 such physicians as demonstrated by the 13 1999 report of the Department of Health 14 Human Services entitled 'Mental and 15 Health: A Report of the Surgeon General'.''. 16 17 (b) Extension of Medicare Board Eligibility PERIOD FOR RESIDENTS AND FELLOWS IN CHILD AND 18 Adolescent Psychiatry.—Section 1886(h)(5)(G) of 19 the Social Security Act (42 U.S.C. 1395ww(h)(5)(G)) is 21 amended— (1) in clause (i), by striking "and (v)" and in-22 23 serting "(v), and (vi)"; and 24 (2) by adding at the end the following new

clause:

1 "(vi) Child and Adolescent Psy-2 CHIATRY TRAINING PROGRAMS.—In the case of an individual enrolled in a child 3 4 and adolescent psychiatry residency or fellowship program approved by the Sec-6 retary, the period of board eligibility and 7 the initial residency period shall be the pe-8 riod of board eligibility for the specialty of 9 general psychiatry, plus 2 years for the 10 subspecialty of child and adolescent psychi-11 atry.".

12 (c) EFFECTIVE DATE.—The amendments made by 13 this section shall apply to residency training years begin-14 ning on or after July 1, 2008.

15 SEC. 5. CHILD MENTAL HEALTH PROFESSIONAL REPORT.

- 16 (a) STUDY.—The Administrator of the Health Re-17 sources and Services Administration (in this section re-18 ferred to as the "Administrator") shall study and make 19 findings and recommendations on—
- 20 (1) the distribution and need for child mental 21 health service professionals, including with respect to 22 specialty certifications, practice characteristics, pro-23 fessional licensure, practice types, locations, edu-24 cation, and training; and

1	(2) a comparison of such distribution and need,
2	including identification of disparities, on a State-by-
3	State basis.
4	(b) REPORT.—Not later than 2 years after the date
5	of the enactment of this Act, the Administrator shall sub-
6	mit to the Congress and make publicly available a report
7	on the results of the study required by subsection (a), in-
8	cluding with respect to findings and recommendations on
9	disparities among the States.
10	SEC. 6. REPORTS.
11	(a) Transmission.—The Secretary of Health and
12	Human Services shall transmit a report described in sub-
13	section (b) to the Congress—
14	(1) not later than 3 years after the date of the
15	enactment of this Act; and
16	(2) not later than 5 years after the date of the
17	enactment of this Act.
18	(b) CONTENTS.—The reports transmitted to the Con-
19	gress under subsection (a) shall address each of the fol-
20	lowing:
21	(1) The effectiveness of the amendments made
22	by, and the programs carried out under, this Act in
23	increasing the number of child and adolescent men-
24	tal health service professionals and paraprofessional
25	child and adolescent mental health workers.

1 (2) The demographics of the individuals served 2 by such increased number of child and adolescent 3 mental health service professionals and paraprofes-4 sional child and adolescent mental health workers.

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